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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER D. SCHIFF, AND EURO PACIFIC
CAPITAL INC.,

Plaintiffs,

vs.

YAYI INTERNATIONAL INC.,

Defendant.

Index No.: 15-cv-00359

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT IN LIEU
OF COMPLAINT**

PLEASE TAKE NOTICE, that upon the annexed Summons dated January 16, 2015, the Memorandum of Law in Support of Plaintiffs' Motion for Summary Judgment, dated January 16, 2015, the Affidavit of Peter Chema dated January 15, 2015 together with the exhibits annexed thereto and made a part thereof, the Local Rule 56.1 Statement of Undisputed Facts on Motion for Summary Judgment dated January 16, 2015, and upon all of the prior papers and proceedings had and filed herein, plaintiffs **PETER D. SCHIFF, AND EURO PACIFIC CAPITAL INC.**, by their attorneys, Anderson Kill P.C., shall move this Court, at the United States Courthouse, 500 Pearl Street, New York, New York on February 23, 2015, at 4:00 PM, or as soon thereafter as counsel may be heard, pursuant to Rule 56.1 of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York and Section

3213 of the New York Civil Practice Law and Rules, for an order granting summary judgment in lieu of complaint:

1. Awarding Plaintiffs \$8,920,000.00 with interest thereon, for monies due and owed under a promissory note (the "Note"), and amended promissory note (referred to individually as the "Amended Note" and collectively with the Note as the "Notes") executed between Plaintiffs and Yayi International Inc.;
2. Awarding Plaintiffs all reasonable costs and expenses (including reasonable legal fees of one counsel) incurred in connection with the enforcement and collection of the Notes.
3. Any such further and other relief this Court deems just and proper.

Dated: January 29, 2015
New York, New York

ANDERSON KILL P.C.,



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To: YAYI INTERNATIONAL INC.
C/O THE CORPORATION TRUST COMPANY
CORPORATION TRUST CENTER 1209 ORANGE ST
WILMINGTON, DE 19801